

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No. SACV 11-1140 JVS (MLGx) Date August 11, 2011

Title GT Beverage Company, LLC v. Dominion Liquid Technologies, LLC

Present: The Honorable James V. Selna

<u>Nancy Boehme</u>	<u>Not Reported</u>
<u>Deputy Clerk</u>	<u>Court Reporter</u>

Attorneys Present for Plaintiffs: Attorneys Present for Defendants:

<u>No Appearance</u>	<u>No Appearance</u>
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Proceedings: (In Chambers) Order to Show Cause Re Jurisdiction

The Court has made a preliminary review of the jurisdictional allegations in the:

Complaint, filed

X Notice of Removal (“Notice”) filed July 29, 2011

by Dominion Liquid Technologies, LLC (“Dominion”).

The initial pleading appears to invoke jurisdiction Court on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Notice, ¶ 7.) Jurisdiction on this basis requires complete diversity.

The following parties to the action are alleged to be a limited liability companies (“LLC”):

GT Beverage Company, LLC
Dominion Liquid Technologies, LLC

For purposes of diversity jurisdiction, an LLC takes on the citizenship of each of its members. Johnson v. Columbia Properties Anchorage , LP, 437 F.3d 894, 899 (9th Cir. 2006); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir. 1998); Keith v. Black Diamond Advisors, Inc., 48 F. Supp. 2d 326, 329-30 (S.D. N.Y. 1999). In order to determine diversity, the Court must consider the citizenship of each LLC member, and if a member is an LLC, the citizenship of its members. Presently, the Court cannot

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tell if jurisdiction has been properly invoked.

Dominion is ordered to file an amended initial pleading within 15 days identifying each member of each alleged LLC and the member's citizenship and principal place of business as the date of the filing of the initial pleading. If any member is itself an LLC, the same information shall be provided for each subtier member, and if need be, for each successive subtier.

A failure to respond may result in remand of the case to the Superior Court of the State of California for lack of jurisdiction.

Initials of Preparer

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